

ORIGINAL

RR-02635B-15-0300



AFFIDAVIT OF PUBLICATION

Inv# L15-1640

I, Candace Begody, Editor of the Navajo Times, a legal newspaper published weekly at Window Rock, Navajo Nation, Arizona, do hereby swear that a legal notice:

Replacing an existing AT-Grade Cross of the BNSF Railway;
Docket# RR-02635B-15-0300

was published in said Navajo Times on the following date(s):
October 08, 2015

and that said notice is attached to this Affidavit and is a true and exact copy of said notice as published.

Candace Begody
Candace Begody
Editor

STATE OF ARIZONA :}

RECEIVED

COUNTY OF APACHE :}

OCT - 8 2015

Navajo Region
Division of Transportation

SUBSCRIBED AND SWORN TO before me this

8th day of October, 2015.

Olivia L. Benally
Olivia L. Benally, Notary Public

My Commission Expires:

April 10, 2018



IN THE MATTER OF THE APPLICATION OF THE UNITED STATES DEPARTMENT OF THE INTERIOR/BUREAU OF INDIAN AFFAIRS TO REPLACE AN EXISTING AT-GRADE CROSSING OF THE BNSF RAILWAY AND TO CONSTRUCT A FOUR SPAN BRIDGE OVER THE BNSF RAILWAY TRACKS AND THE RIO PUERCO RIVER IN NAVAJO, APACHE COUNTY, ARIZONA, USDOT NO. 02501U, (DOCKET# RR 02635B-15-0300)

On August 19, 2015, the United States Department of the Interior/Bureau of Indian Affairs ("USBIA") filed with the Arizona Corporation Commission ("Commission") a request for approval for the USBIA to replace an existing at-grade crossing of the BNSF Railway ("Railway") with the construction of a four span bridge overpass that will span both the tracks of the Railway and the Rio Puerco River in Navajo, Apache County, Arizona at USDOT No. 02501U ("Application").

The Application is available for inspection during regular business hours at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona, and on the Internet via the Commission website (www.azcc.gov) using the e-docket function.

The Commission will hold a hearing on this matter commencing on December 10, 2015, at 10:00 a.m. at the Commission's offices, 1200 West Washington Street, Hearing Room No. 1, Phoenix, Arizona. Public comments will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission, which motion should be sent to Applicant or its counsel, and to all parties of record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor, and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of Railway, a neighboring property owner, a crossing user, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicant or its counsel, and to all parties of record in the case.

the granting of motions to intervene shall be governed by A.A.C. 114-3-105, except that all motions to intervene must be filed on or before November 6, 2015. The granting of intervention among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any customer from appearing at the hearing and making a statement on such customer's own behalf. If you have any questions about this application, you may contact the applicant at (505) 863-8281. If you wish to file written comments on the application or want further information on intervention, you may write the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007, call (602) 542-4251 or 1-800-222-7000, or appear at the hearing and make a comment.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format by contacting Shavlin Bernal, ADA Coordinator, voice: phone number 602-542-3931, e-mail: S.Bernal@azcc.gov. Requests should be made as early as possible to allow time to arrange the accommodation. To be published in the NAVAJO TIMES October 08, 2015.

Arizona Corporation Commission

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